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Paper No. 26

**LEXICON GENETICS INCORPORATED**  
**8800 TECHNOLOGY FOREST PLACE**  
**THE WOODLANDS TX 77381-1160**

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**FEB 24 2005**

**OFFICE OF PETITIONS**

In re Application of :  
Turner et al :  
Application No. 09/770,643 :  
Filed: January 26, 2001 :  
Attorney Docket No. LEX-0122-USA :

**ON PETITION**

This is a decision on the petition under 37 CFR 1.137(b), filed December 6, 2004, to revive the above-identified application.

The petition is **GRANTED**.

37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. If the statement contained in the instant petition varies from the language required by 37 CFR 1.137(b)(3), the statement contained in the instant petition is being construed as the statement required by 37 CFR 1.137(b)(3) and petitioner must notify the Office if this is **not** a correct interpretation of the statement contained in the instant petition.

The above-identified application is being revived solely for purposes of continuity. As continuity has been established by this decision reviving the above-identified application, the above-identified application is again abandoned in favor of continuing application No. 10/999,233, filed November 29, 2004.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3208.

The application file is being forwarded to Files Repository.

*Karen Creasy*

Karen Creasy  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy